

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SAMANTHA PETTINGILL, JULIE  
PETTINGILL, GENE PETTINGILL, JULIE  
PETTINGILL, as guardian *ad litem* for C. P.  
and T. P., minors, and SOCIETY FOR PET  
ADOPTION, RESCUE, AND EDUCATION,  
INC., a Delaware nonprofit corporation,

Plaintiffs,

v.

JOHN CALDWELL, in his official and  
individual capacities, JOHN SAVILLE, in his  
official and individual capacities,  
DELAWARE SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS, a Delaware corporation

Defendants.

C.A. No. 05-224 JJF

JURY TRIAL DEMANDED

**STIPULATION STAYING PROCEEDINGS**

**WHEREAS**, by Order dated October 11, 2006, upon request of the parties, the Court extended the discovery deadline until December 20, 2006 and the dispositive motion deadline until January 26, 2006 to allow the parties an opportunity to continue settlement negotiations;

**WHEREAS**, since that time the parties continued settlement negotiations in good faith with the assistance of the Honorable Vincent A. Bifferato, Sr.;

**WHEREAS**, although the parties came very close to settlement, it appears that a settlement will not be possible;

**WHEREAS**, concurrently with the filing of this stipulation, counsel for the Plaintiffs will be filing a motion to withdraw as counsel, which motion is not opposed by Defendants;

**WHEREAS**, the parties have agreed to stay the proceedings until such time as the Court decides the motion to withdraw and, if granted, for 60 days thereafter to allow the Plaintiffs an opportunity to retain new counsel or determine to proceed *pro se*;

**WHEREAS**, the parties respectfully suggest that upon the conclusion of the stay, the Court hold a status conference to set a scheduling order;

**IT IS HEREBY STIPULATED** by and between the undersigned counsel, subject to approval of the Court, that the matter is stayed until such time as the Court decides the motion to withdraw and, if granted, for 60 days thereafter.

OBERLY, JENNINGS & RHODUNDA, P.A.  /s/ Charles M. Oberly, III	HECKLER & FRABIZZIO, P.A.  /s/ Daniel P. Bennett
Charles M. Oberly, III (No.743) Karen V. Sullivan (No. 3872) 800 Delaware Avenue, Suite 901 P.O. Box 2054 Wilmington, DE 19899 (302) 576-2000 – Telephone (302) 576-2004 – Facsimile  Attorneys for Plaintiffs	Daniel P. Bennett (No. 2842) 800 Delaware Avenue, Suite 200 Wilmington, DE 19801 (302) 573-4800 – Telephone (302) 573-4806 – Facsimile  Attorneys for Defendants

It is **SO ORDERED** this \_\_\_\_ day of December, 2006.

\_\_\_\_\_  
**United States District Judge**